

State of Arizona
Senate
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 160

SENATE BILL 1145

AN ACT

AMENDING SECTION 36-342, ARIZONA REVISED STATUTES; AMENDING SECTION 36-342, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING TITLE 36, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-342.01; PROVIDING FOR THE DELAYED REPEAL OF SECTION 36-342.01, ARIZONA REVISED STATUTES; RELATING TO VITAL RECORDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-342, Arizona Revised Statutes, is amended to
3 read:

4 36-342. Fees received by state and local registrars

5 A. The director of the department of health services shall establish
6 by rule the fees, if any, to be charged for searches, copies of records,
7 applications to file delayed records, requests for supplementary birth
8 certificates, following adoption, legitimation, paternity determination,
9 surgical alterations and chromosomal counts, or amendments to existing
10 records.

11 B. In addition to fees charged pursuant to subsection A of this
12 section, the department of health services shall assess an additional one
13 dollar surcharge on fees for all certified copies of birth certificates. The
14 monies received from the surcharge shall be deposited, pursuant to sections
15 35-146 and 35-147, in the confidential intermediary and private fiduciary
16 fund established pursuant to section 8-135.

17 C. The state registrar shall keep a true and accurate account of all
18 fees collected by him BY THE STATE REGISTRAR under this chapter and shall
19 deposit them, pursuant to sections 35-146 and 35-147, FORTY PER CENT OF THESE
20 MONIES IN THE VITAL RECORDS ELECTRONIC SYSTEMS FUND ESTABLISHED BY SECTION
21 36-342.01 AND THE REMAINING SIXTY PER CENT in the state general fund.

22 D. In class A registration districts, and in class B registration
23 districts if the local registrar is an employee of a local health department,
24 the local registrar shall keep a true and accurate account of all fees
25 collected by him THE LOCAL REGISTRAR under this chapter and shall deposit
26 them with the county treasurer to be credited to a special registration and
27 statistical revenue account of the health department fund.

28 E. In addition to fees collected pursuant to subsection A of this
29 section, the department of health services shall assess an additional one
30 dollar surcharge on fees for all certified copies of death certificates.
31 Pursuant to sections 35-146 and 35-147, the department shall deposit monies
32 it receives from this surcharge in the child fatality review fund established
33 pursuant to BY section 36-3504.

34 Sec. 2. Section 36-342, Arizona Revised Statutes, as amended by
35 section 1 of this act, is amended to read:

36 36-342. Fees received by state and local registrars

37 A. The director of the department of health services shall establish
38 by rule the fees, if any, to be charged for searches, copies of records,
39 applications to file delayed records, requests for supplementary birth
40 certificates, following adoption, legitimation, paternity determination,
41 surgical alterations and chromosomal counts, or amendments to existing
42 records.

43 B. In addition to fees charged pursuant to subsection A of this
44 section, the department of health services shall assess an additional one

1 dollar surcharge on fees for all certified copies of birth certificates. The
2 monies received from the surcharge shall be deposited, pursuant to sections
3 35-146 and 35-147, in the confidential intermediary and private fiduciary
4 fund established pursuant to section 8-135.

5 C. The state registrar shall keep a true and accurate account of all
6 fees collected by the state registrar under this chapter and shall deposit
7 THEM, pursuant to sections 35-146 and 35-147, ~~forty per cent of these monies~~
8 ~~in the vital records electronic systems fund established by section 36-342.01~~
9 ~~and the remaining sixty per cent in the state general fund.~~

10 D. In class A registration districts, and in class B registration
11 districts if the local registrar is an employee of a local health department,
12 the local registrar shall keep a true and accurate account of all fees
13 collected by the local registrar under this chapter and shall deposit them
14 with the county treasurer to be credited to a special registration and
15 statistical revenue account of the health department fund.

16 E. In addition to fees collected pursuant to subsection A of this
17 section, the department of health services shall assess an additional one
18 dollar surcharge on fees for all certified copies of death certificates.
19 Pursuant to sections 35-146 and 35-147, the department shall deposit monies
20 it receives from this surcharge in the child fatality review fund established
21 by section 36-3504.

22 Sec. 3. Title 36, chapter 3, article 2, Arizona Revised Statutes, is
23 amended by adding section 36-342.01, to read:

24 36-342.01. Vital records electronic systems fund; purpose;
25 nonlapsing; expenditure plan; review

26 A. THE VITAL RECORDS ELECTRONIC SYSTEMS FUND IS ESTABLISHED CONSISTING
27 OF MONIES DEPOSITED PURSUANT TO SECTION 36-342. THE DEPARTMENT SHALL
28 ADMINISTER THE FUND. THE DEPARTMENT SHALL USE FUND MONIES FOR COSTS
29 ASSOCIATED WITH THE VITAL RECORDS AUTOMATION SYSTEM.

30 B. FUND MONIES:

31 1. DO NOT REVERT TO THE STATE GENERAL FUND.

32 2. ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO
33 LAPSING OF APPROPRIATIONS.

34 3. ARE CONTINUOUSLY APPROPRIATED.

35 C. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
36 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
37 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

38 D. BEFORE THE DEPARTMENT SPENDS FUND MONIES FOR THE PURCHASE OF NEW
39 INFORMATION TECHNOLOGY, IT MUST SUBMIT A DETAILED EXPENDITURE PLAN TO THE
40 JOINT LEGISLATIVE BUDGET COMMITTEE FOR ITS REVIEW. THE DEPARTMENT SHALL
41 SUBMIT THIS PLAN AFTER IT RECEIVES APPROVAL FOR THE PURCHASE FROM THE
42 GOVERNMENT INFORMATION TECHNOLOGY AGENCY PURSUANT TO SECTION 41-2513, BUT NOT
43 LATER THAN FEBRUARY 1, 2004.

1 Sec. 4. Exemption from rule making

2 For the purposes of this act, the department of health services is
3 exempt from the rule making requirements of title 41, chapter 6, Arizona
4 Revised Statutes, for one year after the effective date of this act.

5 Sec. 5. Effective date

6 Section 36-342, Arizona Revised Statutes, as amended by section 2 of
7 this act, is effective from and after June 30, 2006.

8 Sec. 6. Delayed repeal

9 Section 36-342.01, Arizona Revised Statutes, as added by this act, is
10 repealed from and after June 30, 2006.

~~APPROVED BY THE GOVERNOR MAY 6, 2002.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 7, 2002.~~

Freeman L. Moore
Chief Clerk of the House

Charmine Ballington
Secretary of the Senate

Secretary to the Governor

Governor of Arizona

Secretary of State

S.B. 1145

SENATE CONCURS IN HOUSE AMENDMENTS
AND FINAL PASSAGE

Passed the Senate April 30, 2002

by the following vote: 27 Ayes,

0 Nays, 3 Not Voting

Randee Grant
President of the Senate
Chamin Ballesteron
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30 day of April, 2002

at 12:48 o'clock P M.

Sandra Garms
Secretary to the Governor

Approved this 6th day of

May, 2002,

at 3:33 o'clock P M.

Jane Dee Hull
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 7 day of May, 2002,

at 3:13 o'clock P M.
Betsy Boyles
Secretary of State

S.B. 1145